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NOTICE OF ALLOWANCE AND FEE(S) DUE

29175

7590

08/10/2009

K&L Gates LLP
P. O. BOX 1135
CHICAGO, IL 60690

EXAMINER

OBISEAN, AUGUSTINE KUNLE

ART UNIT

PAPER NUMBER

2156

DATE MAILED: 08/10/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,560	05/18/2006	Fumitaka Kawate	112857-549	2798

TITLE OF INVENTION: FILE RECORDING DEVICE, FILE REPRODUCING DEVICE, FILE EDITING DEVICE, FILE RECORDING METHOD, FILE REPRODUCING METHOD, FILE EDITING METHOD, PROGRAM OF FILE RECORDING METHOD PROGRAM OF FILE REPRODUCING METHOD PROGRAM OF FILE EDITING METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/10/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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29175 7590 08/10/2009

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,560	05/18/2006	Fumitaka Kawate	112857-549	2798
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TITLE OF INVENTION: FILE RECORDING DEVICE, FILE REPRODUCING DEVICE, FILE EDITING DEVICE, FILE RECORDING METHOD, FILE REPRODUCING METHOD, FILE EDITING METHOD, PROGRAM OF FILE RECORDING METHOD PROGRAM OF FILE REPRODUCING METHOD PROGRAM OF FILE EDITING METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/10/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
OBISESAN, AUGUSTINE KUNLE	2156	707-205000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2
_____ 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,560	05/18/2006	Fumitaka Kawate	112857-549	2798
29175	7590	08/10/2009	EXAMINER	
K&L Gates LLP P. O. BOX 1135 CHICAGO, IL 60690			OHISEAN, AUGUSTINE KUNLE	
			ART UNIT	PAPER NUMBER

2156

DATE MAILED: 08/10/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 147 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 147 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/595,560

Examiner

AUGUSTINE OBISESAN

Applicant(s)

KAWATE ET AL.

Art Unit

2156

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 5/27/2009.
2. ☒ The allowed claim(s) is/are 42 - 46, 49 - 53, 56 - 59, 61 - 62, 64 - 65, 67 - 68, and 73 - 76 (renumbered 1 - 24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Pierre M. Vital/
Supervisory Patent Examiner, Art Unit 2156

DETAILED ACTION

1. This action is in response to the amendment filed on 5/27/2009, in which claims 1 – 41 were cancelled, and claims 42 – 76 were added, and claims 42 – 76 are presented for further examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/27/2009 has been entered.

Response to Arguments

3. Applicant's arguments see pages 21 - 24, filed on 5/27/2009, with respect to claims 42 - 76 have been fully considered and are persuasive. The rejection of claims 42 - 76 has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas C. Basso (Reg No: 46,541) on 7/22/2009.

In the claims:

By Examiner's amendment, please cancel claims 47 – 48, 54 – 55, 60, 63, 66, and 69 - 72, and amend claims 42, 49, 56, 61, 64, 67, and 73 – 76.

42. (currently amended): A file recording device comprising:

at least one processor;

at least one recording device; and

at least one memory device configured to store: (i) a file of a predetermined format, and (ii) a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one recording device to:

(a) manage an actual data block of the file, the actual data block including:

(i) at least one video stream including video data,

(ii) at least one audio stream including audio data, and

(iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and

(iv) a control section configured to store control information to control each respective stream multiplexed in the at least one program

stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,

- (b) manage a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
- (c) record the at least one program stream to the at least one memory device based on the priority information, wherein the at least one video stream is

reproducible from the file independent of the at least one program stream,
and wherein the at least one audio stream is reproducible from the file
independent of the at least one program stream.

47. (Cancelled).

48. (Cancelled).

49. (currently amended): A file reproducing device comprising:

at least one processor;

at least one reproducing device; and

at least one memory device configured to store: (i) a file of a
predetermined format, and (ii) a plurality of instructions, which when
executed by the at least one processor, cause the at least one processor
to operate with the at least one reproducing device to:

(a) manage an actual data block of the file, the actual data block including:

(i) at least one video stream including video data,

(ii) at least one audio stream including audio data, and

(iii) at least one program stream including the at least one video stream
and the at least one audio stream multiplexed together, and

(iv) a control section configured to store control information to control
each respective stream multiplexed in the at least one program
stream, wherein the control information is associated with either

output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,

- (b) manage a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
- (c) reproduce the at least one program stream from the file of the predetermined format based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at

least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.

54. (Cancelled)

55. (Cancelled)

56. (currently amended): A file editing device comprising:

at least one processor;

at least one reproducing device; and

at least one memory device configured to store: (i) a file of a predetermined format, and (ii) a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one reproducing device to:

(a) manage an actual data block of the file, the actual data block including:

(i) at least one video stream including video data,

(ii) at least one audio stream including audio data, and

(iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and

(iv) a control section configured to store control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either

output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,

- (b) manage a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store editing information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream,
- (c) determine whether to edit the at least one program stream based on the editing information, and
- (d) if the determination is to edit the at least one program stream:

- (i) reproduce the at least one program stream from the file, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream, and
 - (ii) edit the reproduced program stream.
- 60. (Cancelled).
- 61. (currently amended): A file recording method comprising:
 - (a) managing an actual data block of a file of a predetermined format, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, ~~and~~
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and
 - (iv) control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,
 - (b) managing a management information block of the file, the management information block including management information arranged in a

hierarchical structure based on the control information, the management information including:

- (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
- (c) recording the at least one program stream to at least one memory device based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.
63. (Cancelled).
64. (currently amended): A file reproducing method comprising:

- (a) managing an actual data block of a file of a predetermined format, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, and
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and
 - (iv) control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,
- (b) managing a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,

- (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
 - (c) reproducing the at least one program stream from the file of the predetermined format based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.
66. (Cancelled)
- 67 A file editing method comprising:
- (a) managing an actual data block of a file of a predetermined format, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, and
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and
 - (iv) control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is

associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,

- (b) managing a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store editing information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream,
- (c) determining whether to edit the at least one program stream based on the editing information, and

- (d) if the determination is to edit the at least one program stream:
 - (i) reproducing the at least one program stream from the file, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream, and
 - (ii) editing the reproduced program stream.
- 69. (Cancelled).
- 70. (Cancelled).
- 71. (Cancelled).
- 72. (Cancelled).
- 73. A recording ~~computer-readable~~ medium comprising:
 - a plurality of instructions, which when executed by at least one processor, cause the at least one processor to operate with at least one recording device by:
 - (a) managing an actual data block of a file of a predetermined format, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, and
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and

- (iv) a control section configured to store control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,
- (b) managing a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and

- (c) recording the at least one program stream as the file of the predetermined format based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.
74. A ~~recording computer-readable~~ comprising:
- a plurality of instructions, which when executed by at least one processor, cause the at least one processor to operate with at least one reproducing device by:
- (a) managing an actual data block a file of a predetermined format, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, ~~and~~
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and
 - (iv) a control section configured to store control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,

- (b) managing a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:
 - (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
- (c) reproducing the at least one program stream from the file of the predetermined format based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.

75. (currently amended): A ~~recording computer-readable~~ comprising:
a plurality of instructions, which when executed by at least one processor,
cause the at least one processor to operate with at least one reproducing
device by:
- (a) manage an actual data block of a file of a predetermined format, the actual
data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, ~~and~~
 - (iii) at least one program stream including the at least one video stream
and the at least one audio stream multiplexed together, and
 - (iv) a control section configured to store control information to control
each respective stream multiplexed in the at least one program
stream, wherein the control information is associated with either
output or non-output of reproduction regarding each said stream
multiplexed in the at least one program stream.
 - (b) manage a management information block of the file, the management
information block including management information arranged in a
hierarchical structure based on the control information, the management
information including:
 - (i) a video stream reproducing section configured to store information
to reproduce the at least one video stream,

- (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store editing information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream,
- (c) determine whether to edit the at least one program stream based on the editing information, and
- (d) if the determination is to edit the at least one program stream:
 - (i) reproduce the at least one program stream from the file, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream, and
 - (ii) edit the reproduced program stream.

76. (currently amended): A recording medium having a file with a predetermined format recorded thereon, the recording medium comprising:
- a plurality of instructions, which when executed by at least one processor, cause the at least one processor to operate with at least one recording device by:
- (a) managing an actual data block of the file, the actual data block including:
 - (i) at least one video stream including video data,
 - (ii) at least one audio stream including audio data, ~~and~~
 - (iii) at least one program stream including the at least one video stream and the at least one audio stream multiplexed together, and
 - (iv) a control section configured to store control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream,
 - (b) managing a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including:

- (i) a video stream reproducing section configured to store information to reproduce the at least one video stream,
 - (ii) an audio stream reproducing section configured to store information to reproduce the at least one audio stream,
 - (iii) a program stream reproducing section configured to store information to reproduce the at least one program stream,
 - (iv) a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and
 - (v) a priority section configured to store priority information indicating a priority of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and
- (c) recording the at least one program stream to the file of the predetermined format based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream.

Reason for Allowance

5. The following is an examiner's statement of reasons for allowance:

The present application has been thoroughly reviewed. Upon searching a variety of databases, the Examiner respectively submits that claims 42 – 46, 49 – 53, 56 – 59, 61 – 62, 64 – 65, 67 – 68, and 73 – 76 (renumbered 1 – 24) are allowed in light of the applicant's arguments and in light of the prior art made of record.

The present application is directed to a device, method, and recording medium for file recording, reproducing, and editing of multiplexed stream. The closest prior art Ikedo (US 6,195,503) and Fujita (US 5,933,570) disclose similar features of recording, reproducing, and editing of multiplexed stream. However, Ikedo (US 6,195,503) and Fujita (US 5,933,570), alone, or in combination, fails to anticipate or render obvious the recited features of "a control section configured to store control information to control each respective stream multiplexed in the at least one program stream, wherein the control information is associated with either output or non-output of reproduction regarding each said stream multiplexed in the at least one program stream, manage a management information block of the file, the management information block including management information arranged in a hierarchical structure based on the control information, the management information including: a video stream reproducing section configured to store information to reproduce the at least one video stream, an audio stream reproducing section configured to store information to reproduce the at least one audio stream, a program stream reproducing section configured to store information to reproduce the at least one program stream, a non-destructive editing section configured to store information to enable non-destructive editing of the at least one program stream, and a priority section configured to store priority information indicating a priority

of the at least one video stream and the at least one audio stream multiplexed in the at least one program stream, and record the at least one program stream to the at least one memory device based on the priority information, wherein the at least one video stream is reproducible from the file independent of the at least one program stream, and wherein the at least one audio stream is reproducible from the file independent of the at least one program stream" in conjunction with other features of the independent and dependent claims are not taught nor suggested by the prior art made of record (See PTO-892 and 1449). Therefore, the pending claims 42 – 46, 49 – 53, 56 – 59, 61 – 62, 64 – 65, 67 – 68, and 73 – 76 (renumbered 1 – 24) are hereby allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AUGUSTINE OBISESAN whose telephone number is (571)272-2020. The examiner can normally be reached on 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on 571-272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/22/2009
/Augustine Obisesan/
Examiner, Art Unit 2156

/Pierre M. Vital/
Supervisory Patent Examiner, Art Unit 2156